

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:05CV345-MU

BELLSOUTH TELECOMMUNICATIONS,
INC.,

Plaintiff,

vs.

JO ANNE SANFORD, Chairman; ROBERT K.
KOGER, Commissioner; ROBERT V. OWENS,
JR., Commissioner; SAM J. ERVIN, IV,
Commissioner; LORINZO L. JOYNER,
Commissioner; JAMES Y. KERR, II,
Commissioner; and HOWARD N. LEE,
Commissioner (in their official capacities as
Commissioners of the North Carolina Utilities
Commission),

Defendants.

ORDER

This matter is before the court upon remand from the Fourth Circuit Court of Appeals. In accordance with the opinion issued by that court on August 20, 2007,

IT IS THEREFORE ORDERED that summary judgment be entered in favor of the Defendants.

Signed: August 28, 2007



Graham C. Mullen
United States District Judge

